

Before the Board of Zoning Adjustment, D. C.

Application No. 11859 of United Capital Corporation, pursuant to Section 8207.2 of the Zoning Regulations for a special exception (R-5-A design review) to permit a subdivision and the construction of a new residential development four (4) new dwellings at premises 704,706,708 & 710 49th Place, N.E. known as Lots 68,69,70, Square 5179.

HEARING DATE: March 31, 1975

DECISION DATE: March 31, 1975

O R D E R

Upon consideration of the above application, which is contested, the Board finds that the applicant has not carried his burden of proof by demonstrating that strict application of the Zoning Regulations, by reason of an exceptional topographical condition or other exceptional or unusual situation or condition of the subject property, as required by Section 8207.11 of the Zoning Regulations, creates a practical difficulty or a hardship to the owner which would deny all beneficial use of the subject property.

The Board further concludes that the granting of the requested variance relief, if granted, would have an adverse affect on the neighborhood and would substantially impair the meaning and intent of the Zoning Regulations without the applicant having demonstrated the required burden of proving his case.

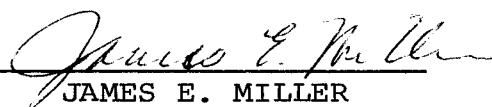
ORDERED: That the above application for a use variance be, and is hereby DENIED.

VOTE:

3-2 (Messrs. Harps & Scrivener dissenting)

BY ORDER OF THE D. C. BOARD OF ZONING ADJUSTMENT

ATTESTED By:


JAMES E. MILLER

Secretary to the Board

FINAL DATE OF ORDER: MAY 22 1975